

Wiggin and Dana LLP
450 Lexington Avenue
Suite 3800
New York, New York
10017-3913
www.wiggin.com

Joseph G. Grasso

610.834.2400 fax
jgrasso@wiggin.com

WIGGIN AND DANA

Counsellors at Law

VIA HAND DELIVERY

May 16, 2008

Honorable Alvin K. Hellerstein
United States District Judge
United States Courthouse
Room 1050
500 Pearl Street
New York, New York 10007-1312

*Counsel shall submit
an Amended Proposed
order, and give notice
of same 5-19-08*

John C. Grasso

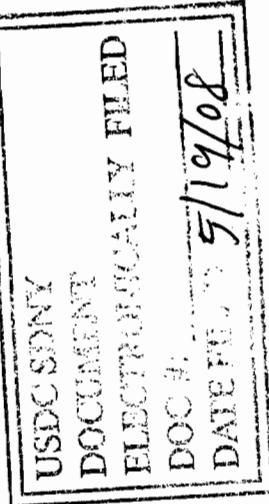
Re: *New Stream Commercial Finance, LLC v. Star America, O.N. 973452 et al*
SDNY, 08-CV-03171 (AKH)

Dear Judge Hellerstein:

Wiggin and Dana LLP represents Plaintiff New Stream Commercial Finance, LLC ("New Stream"). On May 6, 2008, New Stream filed a Motion for Interlocutory Sale of In Rem Defendants STAR OF AMERICA, O.N. 973452 and MAJESTIC STAR, O.N. 1100715 ("the Vessels"), a Memorandum in Support of that Motion, and supporting Affidavits from Steven Sanicola and Craig W. Wilson. New Stream also submitted a proposed order setting the date of auction of the Vessels by the U.S. Marshal on May 16, 2008.

On the date the motion was filed, a sale date of May 16, 2008, would have provided New Stream with sufficient time to publish the requisite notice of the sale pursuant to the Local Rules. However, since the Rules require that notice of the proposed auction be published for at least six consecutive days prior to the sale, and the papers selected (The New York Times and Newark Star Ledger) require at least two days to set up the ads, another sale date, at least 8 days subsequent to the entry of the Order, must be selected.

Rather than burden the Court with further motion papers, we wanted to bring this issue to the Court's attention and suggest that the Order of Interlocutory Sale simply be amended to set a sale date ten days after entry of the Order. Alternatively, if the Court would prefer that we submit a further motion or an amended proposed order, we would be happy to do that as well.



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We thank the Court for its consideration.

Respectfully,

Joseph G. Grasso

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cc: All Counsel of Record (via electronic mail)
All Parties Served with the Motion Papers (via first class mail)